

# State Working Hard to Establish Its Motive for Crime

genuine. Mr. Carter protested against this line of evidence as seeking to use that adduced at the coroner's inquest. Dr. Loving was excused and Dr. Wilbur Mercer called, when the Commonwealth suddenly changed its course and summoned May Stuart.

**Smith Interposes Next Point.**  
"We move to strike out," said Mr. Smith, when the witness had been excused, "the evidence of Dr. Mann and Dr. Loving, so far as it relates to wounds extending into the head and back to the skull. The indictment charges the prisoner with having shot a gun which did strike, penetrate and wound his wife, in and upon her face. There is nothing there about any internal injuries or skull fractures."

"I don't know that it is necessary," said Mr. Wendenburg, "for the indictment to say at all where the wound is."

"No," answered Mr. Smith, "but if it does say it should say accurately." The court reserved decision on the motion.

Mr. Wendenburg having proved by May Stuart that Beulah Binford for some time went by the name of Mrs. R. T. Fisher, and claimed to have married Fisher, offered in evidence the Beattie letter, the envelope being addressed to Mrs. R. T. Fisher, 805 West Main Street. Mr. Carter objected to the envelope, saying there was no evidence that the letter came in it. Only the letter had been identified by Beattie. The court held the letter to be competent testimony.

**Letter in Evidence.**  
Mr. Wendenburg withdrew the envelope and offered in evidence a letter without date on the stationery of H. C. Beattie, 1121 Hull Street, as follows:

"Dear Kid—Pay this \$10 on the furniture and make him give you an itemized bill and what amount you will pay each week. Please don't get into any more. Some one will get wise. Will be good. With oceans of love blissing with kisses,

"Yours,  
HEN."  
Dr. Wilbur Mercer, physician, who lives near the Owen home, and who was attending Mrs. Thomas E. Owen, was called and told of having called professionally to prescribe for Mrs. Owen about 10 o'clock on the night of the murder. Henry Beattie, Jr., was there at the time with his motor car, and after some delay started with his wife, taking the prescription, promising to have it filled. It was filled and later turned up at the house, apparently having been carried during the wild ride into the Midlothian road. Mr. and Mrs. Beattie left about 9:15 o'clock. He sat in the yard talking with Mr. Owen, and about three-quarters of an hour later, Henry came back in the car holding his wife's body, shouting, "My God, we've been held up!"

**Mercer Received Body.**  
"I took her out of the car," went on Mr. Mercer, "and Mr. Owen and I took her into the house. I found the body lying down in front of the front seat, facing toward the steering wheel. When they came in, one of his hands was resting on her back, and the other was holding her head. I managed to get the body out without getting any blood on myself save a drop or two."

He was of the opinion that she had died from a gunshot wound, corroborating the other physicians as to the exact nature of the wound.

"Did you ask Henry Beattie what he gave you? What version did he give you?"

"He said that a man had staggered out in front of him—he explained that he didn't mean the man was drunk by saying he staggered. Henry put on the brakes. The man said, 'What the hell are you trying to do—run over me?' That got his dander up, and Henry said he replied, 'I ought to have done it; you were taking all the road,' and as he started the car, the man raised his gun and fired. Henry told of jumping out and running back, grappling with the gun to ward off a blow, breaking its force and securing the gun which he threw into the back of the car."

"Do you know anything about his proceeding to drink whiskey after he might be arrived at the Owen home with the body?"

**Drank French Brandy.**  
"His first request was for whiskey, and I sent for some from my house. I handed him a bottle of what I thought was whiskey, but which was really French brandy. I don't know how much of it he drank. H. C. Beattie, Sr., his father, came with whiskey soon after, and he drank some of that. About 1 o'clock that night I noticed that he was staggering, and I thought it best to take him upstairs. About a half hour later I saw him out on the lawn. I went out to meet an incoming car and saw Henry Beattie and another man—I think it was his brother, but could not say certainly—with a bottle of whiskey. They asked me to have a drink and I declined."

"Did you see him shed any tears?" "I did not."

Mr. Smith began the cross-examination: "Do you know Henry Owen?" he asked.

"I have met him since the murder," replied the doctor.

"You are not prepared to deny that it was Henry Owen, the brother of the murdered woman, with whom Henry was taking a drink behind the hedge?"

"No. As I said, I don't know who it was with him."

"If shot had struck the victim in the face only, would death have ensued?"

"No, sir."

Detective-Sergeant Thomas J. Wren.

At 5:30 Judge Watson adjourned court for this morning at 10 o'clock, with the County Officer George Jarrell will be the first witness.

**Plans for To-Day.**  
It is the present plan of the Commonwealth to place on the stand, one after another, the officers and detectives who worked on the case, ending with Special Agent L. L. Scherer, who, in agreement, was given general charge, and who has complete notes of every transaction and accurate measurements of things and places. T. P. Pettigrew will follow, with Mandy Alexander and Jerry Reynolds, bringing out the guiding of the gun which the murder was committed behind the Belt Line railway tracks some distance from the roadway.

From this the State will pass to-day or to-morrow to Paul Beattie and his account of purchasing the gun at Weinstein's pawnshop. Then will come Beulah Binford and other evidence through which the State will seek to establish a motive for the crime, in

a member of the Richmond police force for thirty-one years, told of having heard of the murder of Mrs. Beattie about 11:20 P. M., of having secured the consent of the Chief of Police to leave the city and then went to the Owen home shortly after midnight. He viewed the body and talked with Henry Beattie and got his description of the man who shot his wife. About 3 A. M. he called on the telephone L. L. Scherer, chief special agent of the Chesapeake and Ohio Railroad and got his aid in securing bloodhounds. In a motor car he went down the road with Henry Beattie, the prisoner's brother, Douglas Beattie, driving, and Henry Beattie pointed out the place where he and his wife had turned around on the previous night, the wheel tracks being visible where the car had backed into some one's gate to make the turn.

Mr. Wren asked Beattie to point out the scene of the hold-up, and the car ran a mile or a mile and a half back toward the Owen place where Beattie directed the driver to stop in John-son's woods, saying, "It was right along here."

County Officer Jarrell, who had before visited the scene, pointed out the pool of blood about twenty feet from where Beattie had stopped the car, and the car was taken on to a point just beside the blood spot so that all might view it by a lantern from the car, without alighting. It was a pool of blood eighteen or twenty inches long. Beattie told Wren the highwayman was six feet away when the shot was fired. Jarrell and Wren arranged to picket the road for several hundred yards on either side to allow no one to pass so as to save any scent there might be for the dogs which were coming at light.

**Lowest Point in Road.**  
In answer to Mr. Wendenburg's questions, Mr. Wren said that the point where Beattie and his wife had turned back was the highest on the Midlothian Road, with a straight clear-away view for a long distance in each direction. The point of the crime was the lowest on the road, with woods on both sides.

The dogs came at daylight, those of the State Penitentiary farm, which Mr. Wren had suggested summoning, and those of Deputy Sheriff Snyder, of Henrico county. The dogs found no trail leading from the blood spot. Mr. Smith objected to the use of the word "puddle" as applied to the blood spot. Mr. Wren said that was just what it was.

"Do you mean," asked Judge Watson, "that the blood was still unabsorbed on the ground?"

"Yes," answered Mr. Wren. "It was a big, large pool, about 15 by 24 inches."

"Is it possible for that blood to have come from the machine?"

"I think that for the jury to say," interposed the court before Mr. Wren could answer.

"Did Mr. Beattie describe his assailant?"

"He did later. He said he was a large man, bigger than Detective Wiltshire, who is about 180 lbs. He said the man went into the woods after he had gotten the gun."

"Did you see Beattie shed any tears?"

"No, he was very cool."

"Did he show any agitation in his actions?"

"We protest," said Mr. Carter. "We can only tell," said Judge Watson, "by physical manifestations. Of course, the witness could not testify whether there was mental agitation, but we can describe physical manifestations of grief or agitation, if any."

"Did the prisoner show any manifestation of grief?" asked Mr. Wendenburg.

"He didn't seem to do anything to show grief," answered Mr. Wren. "He just walked around smoking cigarettes."

"Were you at the Owen home when the body was brought out to be taken to South Richmond?"

"Yes. The undertaker asked several of us to help lift the casket into the hearse, standing out at the drive. I had to carry it across the lawn. Beattie was sitting out on the lawn under a tree."

"What did he do when the body passed?"

"One man might show grief and another have control," interposed Mr. Smith.

"I think we have a right to know his conduct," ruled the court.

"I purposely took my place on the right side," said Mr. Wren, "so I could watch him. He turned around and looked at the casket, and turned away without a word. He showed no emotion at all."

"Do you remember seeing a stump on the roadside near the blood spot?"

"Yes, sir; two of them; one particularly on the right hand side as the car was going back toward Richmond. I went there at daylight and saw three footprints on the ditch, one near the wire fence, and one in the ditch coming back. The ditch was of dry sand."

"How did Beattie say his wife's body was resting on his way back to the Owen home?"

"He said it was propped, sitting in her seat beside him in front, he holding it with his left arm, and running the car with the right."

Cross-examined by Mr. Smith, he stated that he had been on the case since July 15, giving it his undivided attention, having had no other assignments. He could not swear if the footprints he had seen were made before or after the homicide.

**Wiltshire's Testimony.**  
Detective Sergeant John L. Wiltshire was the last witness of the day. He stated that he had been on the Rich-

mond force for sixteen years, and was assigned to the Beattie case about noon of the day following the murder, going out to aid Mr. Wren. He found Scherer, Wren, Ben P. Owen and others at the home of Thomas E. Owen, and consulted them. Later they all went to the scene of the crime and saw for Henry Beattie and his motor car. A dissection of the car directed by Beattie drove the car directly over the blood spot, placing it just as it had stood on the previous night, when the bearded highwayman staggered from the woods. The car stood on its left side just at the center of the road in Richmond, with the spot of blood underneath. Beattie described his assailant as having stood six feet to the left, which Mr. Wiltshire measured and found would be four feet from the ditch at the roadside.

**Got Underneath Car.**  
"I got down underneath the car," went on Mr. Wiltshire, "I could find no traces of blood and I went to Mr. Scherer and the others that no blood had leaked through the car or into the dust pan. Beattie told us there of his encounter with the man; of warding off the blow, which glanced on his face, after which he secured the gun. I asked him if he had made any effort to knock the man in the head with the gun, and he said no. He had made no effort to go after the man, he said. He told us the man went on up the road."

"In the right hand, or driver's, seat of the car we found under the cushion from a quart to a half gallon of blood. If the blood had gotten down into the dust pan it could not have gone on down into the road."

"I saw the prisoner again at Dr. Loving's home on Thursday afternoon. I asked him then for a description of the man that shot his wife. He said the man was taller than I am and much stouter. I am six feet and weigh 150. He thought the man was about forty-five years old, with a beard trimmed round."

"Did you say in the presence of the prisoner that that pool of blood could not have come from the car the way he had the machine placed?"

"Yes. I asked Henry Beattie how he could account for the pool of blood in the road, and he said he didn't know."

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When the report reached their ears they stopped and then noticed the direction taken by the auto. The machine, however, had hardly stopped a second, and they had taken but a few steps when it dashed away at a swift rate of speed. The mysterious individual with the gun had vanished.

Minor declares that his informant is a reliable man, and he is certain that if called upon he can furnish the names of the two men who may have witnessed the tragedy in the manner described. He said that he has known his informant for fifteen years, but he is now out of the city and does not have his name dragged into the case.

Both the eye-witnesses, Mr. Minor says, live near Louisville, one being a resident of the State of Indiana. He says he does not know the names of the two men, but his informant does. Further, he said that the two men can easily prove that they were in Richmond July 18 last, when the woman was killed.

Minor added that his informant came to him with the information because he knew that he (Mr. Minor) had had experience working up evidence in various cases in the past, for attorneys. The man, Minor said, requested him to communicate with young Beattie's relatives and attorneys at Richmond.

Minor stands high as a business man in Louisville. During the past twenty-five or thirty years he has been a successful contractor. At one time he was president of the Bryant and Stratton Business College, in this city.

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**Garments Exhibited.**  
Several times during the testimony yesterday the blood-stained garments worn by Henry Beattie were exhibited to the jury, the coat and trousers, the latter with the seat stained with blood and the coat spattered as to the sleeves and with a great splash in the middle of the back. It was remarked that while the shirt was blood-soaked near the bottom, it was only spattered above, and there was no stain in the back to correspond with the blood on the back of the coat.

While both jury and spectators are as yet somewhat in the dark as to the point to be brought out, the line of questioning yesterday several times indicated that there was some significance in the fact that sometimes Beattie seems to have had his coat on and sometimes off, since coat and shirt are blood-stained at different points. The evidence of grit and sand in Mrs. Beattie's hair, and of blood on the back of her garments, as though she had lain in blood, tend to support the Commonwealth's theory that Mrs. Beattie was killed in the road, not in the car, as Beattie has described. This fits with the statement that the blood stain could not have come from the car, and that the blood in the car would not have collected in the driver's seat had the body been supported as the accused has indicated. Attention is also called to some discrepancies in Beattie's accounts. To some he said the highwayman went down the road to come to the blood to the woods; to some he was a scraggly, unshaven man; to others he had a round trimmed beard.

Mrs. W. A. Jacob, wife of the Chesterfield county magistrate, and a neighbor of the Owen family, one of the women who shrouded the body of Mrs. Beattie for burial, will be called to testify as to the condition of the garments of Mrs. Beattie which were burned by the servants because of their bloody condition.

**Scherer Aids Attorneys.**  
Throughout the first day of testimony, Special Agent Scherer sat beside Attorneys Wendenburg and Gregory. His stenographer was just behind with a bulky leather portfolio containing all manner of statements and information bearing on the case. As each witness came forward the stenographer handed up certain typewritten sheets, sometimes large bulky packages of them, with several pages of index.

Mr. Scherer studied closely the reports of his lieutenants, the statements heretofore given by the witnesses, their testimony at the coroner's inquest, and all manner of other information, and from time to time suggested a question to the attorneys or called their attention to some par-

## CROWDS AROUND COURTHOUSE DURING AFTERNOON SESSION

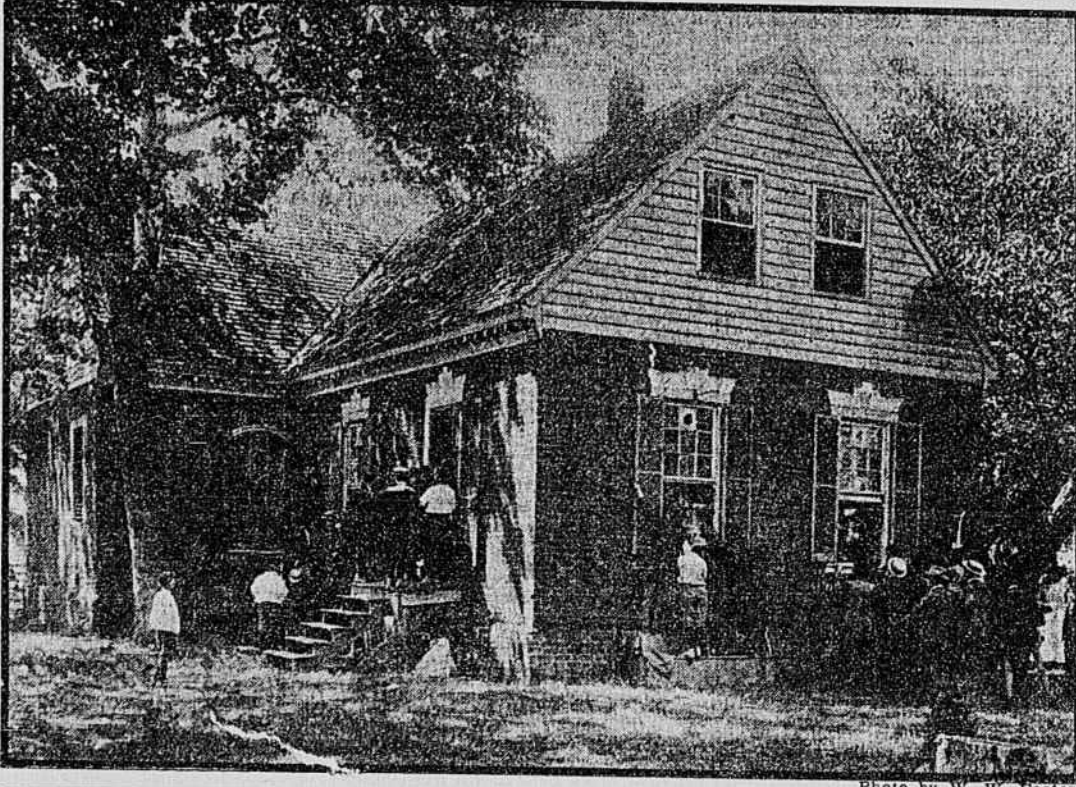


Photo by W. W. Foster.

## LOUISVILLE MAN CLAIMS THAT HE HAS CLUE IN BEATTIE MURDER

Louisville, Ky., August 24.—Important information that may throw some light upon the mysterious death of Louise Beattie, wife of Henry Clay Beattie, Jr., who is now on trial at Chesterfield, Va., is being offered to the attorneys for young Beattie by J. S. Minor, a prominent contractor of Louisville.

Mr. Minor has written letters to young Beattie's attorneys, advising them that he can furnish the names of two men who may be able to prove that Mrs. Beattie was killed by a highwayman on a lonely road, near Richmond, while out automobile riding with her husband, July 18, last. Mr. Minor at his home, 3224 Greenwood Avenue, to-night said that a man well known to him, but whose identity he refuses to disclose, called at his office about three weeks ago and informed him that there were two eye-witnesses to the killing of Mrs. Beattie. The man, Mr. Minor said, had accidentally met the shot that ended Mrs. Beattie's life. The two men, Mr. Minor was told by his informant, were walking along the Midlothian Road, near Richmond, on the night of the murder, when they

passed a strange man carrying a gun over his shoulder. They paid no attention to him, according to Mr. Minor, but walked on, and when about 300 yards away, an automobile containing a man and a woman, laughing and chatting gaily, sped past, going in the opposite direction. As the machine overtook the man with the gun, a few hundred yards in the rear, the two eye-witnesses, according to Mr. Minor, heard angry voices and then a shot rang out.

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Judge from the bench. "We must have air, and the sheriff was directed as far as possible to keep the exits unobstructed."

Neither side issued any statement last night, but informally both expressed themselves as well satisfied with the first day of evidence. The prosecution hoped what it expected to prove by the witnesses it put on, but it proved no more and brought out little not outlined in the coroner's inquest. The defense believes that it has more than held its own. Visiting

attorneys, who have followed the case, are of the opinion that the crisis will come this afternoon or to-morrow, when Paul Beattie goes on the crucial point being not only Beattie's own story, but the ability of the Commonwealth to bolster it up, to corroborate its main points, and to prevent the defense from throwing on Paul Beattie those "reasonable doubts," which might form under the law a ground for the acquittal of Henry. That this is what the defense is working for is generally believed.

## DEFENCE HOLDS ITS OWN, BUT CRUCIAL TEST YET TO COME

(Continued From First Page)

Blood stains in the road and the mutual denial they gave of the prisoner's recital, it began to prepare the ground on which to erect its theory of a motive. It exhibited the blood-stained garments of the accused and the mud from which the fatal shot was fired. All this and more it did.

But it did not prove what it seemed most anxious of all to prove—that Beattie took measures to see that none but his wife went with him on that midnight ride. One witness, an uncle of the dead girl, knew why the others stayed at home, but only by hearsay. Another might have blurted it out. But experienced in the ways of courts and the meaning and objects of the law, this one held his peace. Striving always to be fair, whatever he might personally think, Mr. Owen could not hand. There was no need for the presiding judge to halt him. He understood the law and obeyed it. The Commonwealth fenced and sparred, but to no avail. The witness was indirectly a comfort to the defense and a sharp disappointment to the State. Here it failed. It will try again.

**Seven Witnesses in All.**  
On the whole, the seven witnesses of the day went the gauntlet well. Now and then one would be led into a contradiction or a doubt where before he seemed sure enough, but generally speaking, they stood fast. The prosecution is being ably conducted, with Wendenburg in the forefront, capably assisted by Judge Gregory. Enough has been said of the other side to show that Smith and Carter are sending all their great energies into the task. In its box the jury sits impassive, but closely watching, and ten feet away sits Henry Beattie, watching the jury.

**The Day in Court.**  
Early news brought animation beyond the custom to quiet country folk. Interest, flagging under the dead dullness of the preceding day, had evidently shot high again, and dust-laden roadways had their patient plodders even with the crack of dawn. The courthouse was the Mecca of all wayfarers now, and seemed likely to hold the centre of the stage for a week to come. Plowshares lay idle on the parched fields, and farm horses, shaking the week-day grime of the furrows from their scarred coats, sprucely jogged to town to see the sights.

There were signs to see. No more tiresome repetition of jury and court mule came to wear patience down to the point where comfort had long ago gone protesting out. Once begun, the day went with a dash that put the tame hours of the past to the blush. The story of a monstrous crime—alleged as it was—was being told by twelve impressive men sat listening while Beattie, fascinated, gazed with a hawk's eye, trying to fathom their minds. Over it all hung the heat—oppressive, stifling. The sun dodged

BEATTIE—OWEN

(From The Times-Dispatch of August 25, 1910.)

Miss Louise Wellford Owen and Henry Clay Beattie, Jr., were married shortly after 7 o'clock yesterday evening in Central Methodist Church, South Richmond. The ceremony was performed by Rev. H. C. Pfeiffer, pastor of the church.

Long before the arrival of the ushers scores of young women waited in impatient expectation for the opening of the doors. No words of admission were extended, and a half hour before the young couple marched up the aisle the church was crowded with the society element of old "Manchester," many pretty girl friends of the young bride being in preponderance. Behind them followed a mass of prima and potted plants.

The bridemaids, simply but beautifully attired in white net, and carrying Colonna roses, marched in single file to the chancel. The four bridemaids were Misses Estlin and Emma Fitzgerald, of South Richmond; Miss Marjorie Robertson, of Norfolk, and Miss Hazel Beattie, sister of the groom. The best man was Luther W. Wells, and the groomsmen were Russell Fitzgerald, Douglas Beattie, Henry Owens and John Sandifer.

Miss Louise Reams, maid of honor, wore a white lace dress, trimmed in pearl, and carried a shower bouquet of Colonna roses.

The bride, exquisitely gowned in white, meshing, embroidered in pearl, and carrying a shower bouquet of Bride roses and lilies of the valley, entered the church on the arm of her father, by whom she was given away. Richard Baker played the Mendelssohn "Wedding March." The bride is a daughter of Mr. and Mrs. R. V. Owen, of 320 Covardin Avenue, South Richmond, and is about twenty years of age. She has always been prominent in social circles, and is one of the most popular young women of the younger set.

Mr. Beattie is a son of H. C. Beattie, of South Richmond.

The guests from a distance attending the wedding were Mrs. W. E. Breckenridge, of Newport News; Mrs. Charles B. Steele, of New Stanton; Robert V. Owen, of Dover, Del.; Miss Marjorie Robertson, of Norfolk, and Miss Emma Hester, of Roanoke.

Among others present were Misses Reba Bradley, Ree Courtney, Emily Fitzgerald, Mary Vaden, Rena Reams, Olive Greenwood, Jessie Page, Elizabeth Pettigrew, Mrs. T. E. Owen, Mrs. E. N. Gregory, Mrs. Joseph Ankers, Mrs. S. H. Bemis, Mrs. A. H. Fitzgerald, Mrs. W. P. Tattenson, Mrs. R. Richardson, Mrs. A. Clarence Atkins and Mrs. B. Harris.

New Invoice of

**Coffee and Tea**  
Just in. Fine cup qualities; moderate cost. Have you tried them?

every cloud and sent its blasts straight down, pitilessly. Outside the big-leaved trees were stirring busily, but it was a tantalous breeze, that covered near and never came within reach. Before the judge even entered the room the court was jammed—witnesses, spectators, one woman.

**Beattie's Night in Jail.**  
The prisoner was on the lawn early. With the jailer at his heels, Beattie strolled about unmolested, almost contentedly it seemed from the distance. In striking contrast to his late mien, he was in good spirits as he stood at the primitive court green booth, drinking a coca-cola from the bottle.

"I went to sleep at 9:30 last night and woke at 8:15 this morning," he said, with a laugh.

During the early evening of his first night in the tiny Chesterfield prison he had been heard passing pleasant words with two others lodged across the corridor. Perhaps he knew or not that even these partners in misery were guarding him with watchful eyes. There was no need. Beattie saw nothing inviting in that dreary prospect from his barred window, and went to bed with the crickets. A half-mile down the road a forest fire crackled and then burned itself out. He did not even know of this neighborhood excitement.

Presently, as he roamed about the green, the morning crowds began to come, and Beattie's peaceful, quiet mien had passed. Before long his father and brother arrived, and he went over for a word with them. After a while the automobile in which he and his mother were brought out as an exhibit. With his brother and some officers, the prisoner walked around and around the car, inspecting it from every side. The driver had neglected an ordinary precaution, and the mechanism had been somewhat injured by the trip. Beattie complained bitterly of this.

**Session of Court Begins.**  
About 10:30 o'clock the judge entered the courtroom, and with a pleasant greeting for all, proceeded slowly to the bench. A moment more, and the session began. By this time the place was crowded to suffocation, and the daily problem of disposing of the best advantage of the small space available was again before the court.